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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2007 OCT -9 AM 11:29

07 NOV 23 99
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Laurence MENDEZ-Garcia,

Defendant

Magistrate Case No.

COMPLAINT FOR VIOLATION OF DEPUTY

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)

Transportation of Illegal
Aliens

The undersigned complainant, being duly sworn, states:

On or about **October 6, 2007**, within the Southern District of California, defendant **Laurence MENDEZ-Garcia** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Susana GONZALEZ-Blanco, Jorge ARECHIGA-Nunez, and Juan Manuel MIRAMONTES-Silva** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James E. Bailey

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th DAY OF OCTOBER 2007

Leo S. Papas

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:

Laurence MENDEZ-Garcia

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

Furthermore, the complainant states that **Susana GONZALEZ-Blanco, Jorge ARECHIGA-Nunez, and Juan Manuel MIRAMONTES-Silva** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 06, 2007, at about 12:30 PM, members assigned to the United States Immigration and Customs Enforcement Marine Task Force (MTF) were notified by Officers Soulia and Sentinella, from the San Diego Police Department (SDPD) about a suspected vessel containing four occupants that they had detained for questioning at about 11:53 AM near the Mission Bay Channel. The vessel was described as a white and blue 16 feet, 1988 Bayliner Capri. The Mission bay area is heavily utilized during the weekends to smuggle illegal aliens into the United States. Members of the Marine Task Force responded to the area and made contact with the San Diego Police Department. Members of the Marine Task Force were debriefed by the San Diego Police Department as to the circumstances of the encounter. Members of the San Diego Police Department identified the driver as MENDEZ-Garcia, Laurence.

Members of the Marine Task Force identified themselves as Immigration and Customs Enforcement agents and conducted an immigration inspection on the four occupants, including the driver who was later identified as the defendant **Laurence MENDEZ-Garcia**. MENDEZ stated that he was a citizen and national of Mexico without any immigration documents that would allow him to enter or remain in the United States legally. The other three subjects stated that they were citizens and nationals of Mexico and were illegally present in the United States without any documents that would allow them to be or remain in the United States legally. All occupants of the vessel were taken into custody by members of Marine Task Force.

Members of the Marine Task Force notified Border Patrol Agent J. Perez who was assigned to pick up individuals taken in custody by other agencies on today's date. Border Patrol Agent Perez responded to the call by the Marine Task Force. Upon arrival, Agent Perez was debriefed upon the circumstances of the arrest by the San Diego Police Department and the Marine Task Force. Agent Perez identified himself as a Border Patrol Agent and conducted an immigration inspection. All four occupants of the vessel, including MENDEZ, admitted to being citizens and nationals of Mexico without any documents that would allow them to be or remain in the United States legally. Agent Perez took all subjects into custody and transported all the individuals to the Chula Vista Border Patrol Station for processing.

MATERIAL WITNESSES STATEMENTS:

The statements of material witnesses **Susana GONZALEZ-Blanco, Jorge ARECHIGA-Nunez, and Juan Manuel MIRAMONTES-Silva** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They stated that they did not have any immigration documents allowing them to enter or remain in the United States legally. They stated that arrangements had been made in Mexico to be smuggled into the United States. All the material witnesses stated that they were to pay between \$2,000.00 and \$3,000.00 U.S. dollars to be smuggled into the United States. The material witnesses were shown a photographic line up and all were able to identify the defendant as the driver of the boat of this smuggling event.

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

Furthermore, the complainant states that **Susana GONZALEZ-Blanco**, **Jorge ARECHIGA-Nunez**, and **Juan Manuel MIRAMONTES-Silva** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

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Members of the Marine Task Force identified themselves as Immigration and Customs Enforcement agents and conducted an immigration inspection on the four occupants, including the driver who was later identified as the defendant **Laurence MENDEZ-Garcia**. **MENDEZ** stated that he was a citizen and national of Mexico without any immigration documents that would allow him to enter or remain in the United States legally. The other three subjects stated that they were citizens and nationals of Mexico and were illegally present in the United States without any documents that would allow them to be or remain in the United States legally. All occupants of the vessel were taken into custody by members of Marine Task Force.

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CONTINUATION OF COMPLAINT:

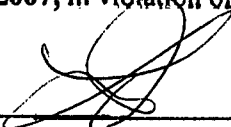
Laurence MENDEZ-Garcia

Executed on October 8, 2007 at 9:30 a.m.

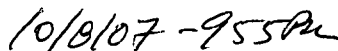


Raul Castorena
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **October 6, 2007**, in violation of Title 8, United States Code, Section 1324.



Leo S. Papas
United States Magistrate Judge



Date/Time